# Case 11-11298-TPA Doc 216 Filed 12/18/16 Entered 12/19/16 00:56:11 Desc

	<u> </u>	<u> Page 1 01 5                                </u>
Information to	identify the case:	90 = 0. 0
Debtor 1	Gary A. Smith	Social Security number or ITIN xxx-xx-9001
	First Name Middle Name Last Name	EIN
Debtor 2 (Spouse, if filing)	Debra K. Smith	Social Security number or ITIN xxx-xx-9326
	First Name Middle Name Last Name	EIN
United States Ban	kruptcy Court WESTERN DISTRICT OF PENNSYLVANIA	
Case number: 11	-11298-TPA	

# **Order of Discharge**

12/15

IT IS ORDERED: A discharge under 11 U.S.C. § 1328(a) is granted to:

Gary A. Smith Debra K. Smith

<u>12/16/16</u>

By the court: Thomas P. Agresti

United States Bankruptcy Judge

### Explanation of Bankruptcy Discharge in a Chapter 13 Case

This order does not close or dismiss the case.

### Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily. 11 U.S.C. § 524(f).

### Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts provided for by the chapter 13 plan.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

#### Some debts are not discharged

Examples of debts that are not discharged are:

- debts that are domestic support obligations;
- debts for most student loans;
- debts for certain types of taxes specified in 11 U.S.C. §§ 507(a)(8)( C), 523(a)(1)(B), or 523(a)(1)(C) to the extent not paid in full under the plan;

For more information, see page 2

- debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- some debts which the debtors did not properly list;
- debts provided for under 11 U.S.C. §
   1322(b)(5) and on which the last payment
   or other transfer is due after the date on
   which the final payment under the plan
   was due;
- debts for certain consumer purchases made after the bankruptcy case was filed if obtaining the trustee's prior approval of incurring the debt was practicable but was not obtained:

- debts for restitution, or damages, awarded in a civil action against the debtor as a result of malicious or willful injury by the debtor that caused personal injury to an individual or the death of an individual; and
- debts for death or personal injury caused by operating a vehicle while intoxicated.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of a chapter 13 discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

Form 3180W Chapter 13 Discharge page 2

# Case 11-11298-TPA Doc 216 Filed 12/18/16 Entered 12/19/16 00:56:11 Desc

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 United States Bankruptcy Court
Western District of Pennsylvania

In re:
Gary A. Smith
Debra K. Smith
Debtors

Case No. 11-11298-TPA Chapter 13

### **CERTIFICATE OF NOTICE**

District/off: 0315-1 User: ddoy Page 1 of 3 Date Rcvd: Dec 16, 2016 Form ID: 3180W Total Noticed: 53

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on		
Dec 18, 2016.		
db/jdb	+Gary A. Smith, Debra K. Smith, 1122 Old Route 8, Polk, PA 16342-2032	
13148800	+AmeriGas, 2540 Warren Drive, Suite C, Rocklin, CA 95677-2178	
13148806	+Citifinancial Retail Services, Citifinancial/Attn: Bankruptcy Dept, Po Box 140489, Irving, TX 75014-0489	
13148810	+First National Bank Slippery Rock, 3320 East State Street, Hermitage, PA 16148-3301	
13148811	+First United National Bank, Po Box 7, Fryburg, PA 16326-0007	
13587828	+Keri P. Ebeck, Esquire, Weltman, Weinberg, & Reis Co., LPA, 1400 Koppers Bldg., 436 Seventh Avenue, Pittsburgh, PA 15219-1842	
13148819	+Mercer County State Bank, Po Box 38, Sandy Lake, PA 16145-0038	
13148820	+National City, Po Box 5570, Cleveland, OH 44101-0570	
13148821	+National City Card, 100 North 13th Street, Franklin, PA 16323-2352	
13209703	+Peter J. Mulcahy, Esquire, 1617 JFK Boulevard, Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103-1814	
13148826	+United Refining, 213 2nd Avenue, Warren, PA 16365-2405	
13148827	+Weisfield Jewelers, Attn: Bankruptcy, Po Box 3680, Akron, OH 44309-3680	
13148831	+Worlds Foremost Bank, 4800 Northwest 1st Street, Lincoln, NE 68521-4463	
Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.		
smg	E-mail/Text: RVSVCBICNOTICE1@state.pa.us Dec 17 2016 01:19:45 Pennsylvania Dept. of Revenue,	
	Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION,	
	Harrisburg, PA 17128-0946	
cr	+EDI: BANKAMER.COM Dec 17 2016 00:58:00 Bank of America, N.A., 2380 Performance Dr, Richardson, TX 75082-4333	
cr	EDI: RECOVERYCORP.COM Dec 17 2016 00:58:00 Recovery Management Systems Corporation,	
01	25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605	
13148799	+EDI: BANKAMER2.COM Dec 17 2016 00:58:00 AAA Financial Services, 572 W Broad St.,	
12151072	Hazleton, PA 18201-6108 EDI: BANKAMER2.COM Dec 17 2016 00:58:00 FIA CARD SERVICES, N.A., PO Box 15102,	
13151973	EDI: BANKAMER2.COM Dec 17 2016 00:58:00 FIA CARD SERVICES, N.A., PO Box 15102, Wilmington, DE 19886-5102	
13209022	+EDI: BANKAMER.COM Dec 17 2016 00:58:00 BANK OF AMERICA, N.A., Et al,	
	BANK OF AMERICA, N.A., 7105 CORPORATE DRIVE, PLANO, TX 75024-4100	
13148801	+EDI: BANKAMER2.COM Dec 17 2016 00:58:00 Bank Of America, Po Box 17054,	
13148802	Wilmington, DE 19850-7054 +EDI: BANKAMER.COM Dec 17 2016 00:58:00 Bank Of America, N.a., 450 American Street,	
13140002	Simi Valley, CA 93065-6285	
13148803	+EDI: TSYS2.COM Dec 17 2016 00:58:00 Barclays Bank Delaware,	
10100100	Attention: Customer Support Department, Po Box 8833, Wilmington, DE 19899-8833	
13193407	+EDI: OPHSUBSID.COM Dec 17 2016 00:58:00 CANDICA, LLC, C O WEINSTEIN AND RILEY, PS,	
13148804	2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132 +EDI: CAPITALONE.COM Dec 17 2016 00:58:00 Capital One Bank (USA) N.A., Po Box 30285,	
	Salt Lake City, UT 84130-0285	
13148805	+EDI: CHASE.COM Dec 17 2016 00:58:00 Chase, Po Box 15298, Wilmington, DE 19850-5298	
13178176	EDI: CHASE.COM Dec 17 2016 00:58:00	
13148807	Wilmington, DE 19850-5145 EDI: RCSDELL.COM Dec 17 2016 00:58:00 Dell Financial Services, Attn: Bankruptcy Dept.,	
13140007	Po Box 81577, Austin, TX 78708	
13148808	EDI: DISCOVER.COM Dec 17 2016 00:58:00 Discover Financial, Po Box 8003,	
40460004	Hilliard, OH 43026	
13160794	EDI: DISCOVER.COM Dec 17 2016 00:58:00 Discover Bank, Discover Products Inc., PO Box 3025, New Albany, OH 43054-3025	
13573211	EDI: DISCOVER.COM Dec 17 2016 00:58:00 Discover Bank, DB Servicing Corporation,	
	PO Box 3025, New Albany, OH 43054-3025	
13148809	+EDI: BLUESTEM Dec 17 2016 00:58:00 Fingerhut, 6250 Ridgewood Road,	
12140010	Saint Cloud, MN 56303-0820 +E-mail/Text: slucas@for-cu.com Dec 17 2016 01:20:13 Franklin Oil Region Credit Union,	
13148812	101 North 13th Street, Franklin, PA 16323-2343	
13433885	EDI: RMSC.COM Dec 17 2016 00:58:00 GE Capital Retail Bank,	
	c/o Recovery Management Systems Corp, 25 SE 2nd Ave Suite 1120, Miami, FL 33131-1605	
13173234	EDI: RESURGENT.COM Dec 17 2016 00:58:00 GE Money Bank, c/o B-Line, LLC, MS 550,	
13148813	PO Box 91121, Seattle, WA 98111-9221 +EDI: RMSC.COM Dec 17 2016 00:58:00 GEMB / HH Gregg, Attention: Bankruptcy,	
13140013	Po Box 103104, Roswell, GA 30076-9104	
13148814	+EDI: RMSC.COM Dec 17 2016 00:58:00 Gemb/JCPenney, Attention: Bankruptcy, Po Box 103104,	
4.04.40.05.	Roswell, GA 30076-9104	
13148815	+EDI: RMSC.COM Dec 17 2016 00:58:00 Gemb/pearle Vision, Po Box 981439,	
13148816	El Paso, TX 79998-1439 +EDI: RMSC.COM Dec 17 2016 00:58:00 Gemb/qvc, Po Box 971402, El Paso, TX 79997-1402	
13148817	+EDI: HFC.COM Dec 17 2016 00:58:00 Gemb/qvc, Fo Box 971402, E1 Paso, 1x 79997-1402 +EDI: HFC.COM Dec 17 2016 00:58:00 Hsbc/BonTon, Hsbc Retail Services/Attn: Bankruptcy,	
	Po Box 5263, Carol Stream, IL 60197-5263	
13148818	+EDI: HFC.COM Dec 17 2016 00:58:00	
13832956	E-mail/Text: camanagement@mtb.com Dec 17 2016 01:19:27 M&T BANK, P.O 840, BUFFALO, NY 14240-0840	

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Total Noticed: 53

Date Royd: Dec 16, 2016

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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)
13294432
               +E-mail/Text: bknotice@ncmllc.com Dec 17 2016 01:20:09
                                                                          National Capital Management, LLC.,
                                                       Memphis, TN 38125-1741
                 8245 Tournament Drive,
                                         Suite 230,
                EDI: PRA.COM Dec 17 2016 00:58:00
13209706
                                                      Portfolio Recovery Associates LLC,
                 Norfolk, VA 23541
                EDI: PRA.COM Dec 17 2016 00:58:00
13209023
                                                      Portfolio Recovery Associates, LLC,
                                                                                            POB 12914,
                 Norfolk VA 23541
               +EDI: PRA.COM Dec 17 2016 00:58:00
                                                      PRA Receivables Management, LLC, POB 41067.
13626845
                 Norfolk, VA 23541-1067
13433886
                EDI: RECOVERYCORP.COM Dec 17 2016 00:58:00
                                                               Recovery Management Systems Corporation,
                                                  Miami, FL 33131-1605
                 25 S.E. 2nd Avenue, Suite 1120,
13148824
                EDI: AGFINANCE.COM Dec 17 2016 00:58:00
                                                            Springleaf Financial Services,
                                                                                              120 Bon Aire Plaza,
                 Butler, PA 16003
13148822
                EDI: SEARS.COM Dec 17 2016 00:58:00
                                                        Sears/cbna,
                                                                       133200 Smith Road,
                                                                                           Cleveland, OH 44130
               +EDI: SEARS.COM Dec 17 2016 00:58:00
13148823
                                                                       8725 West Sahara Avenue,
                                                        Sears/cbna.
                 The Lakes, NV 89163-0001
               +EDI: CITICORP.COM Dec 17 2016 00:58:00
13148825
                                                           Tractor Supply/cbsd,
                                                                                 Po Box 6500.
                 Sioux Falls, SD 57117-6500
               +EDI: WFNNB.COM Dec 17 2016 00:58:00
                                                                      P.O. Box 182125,
13148828
                                                        Wfcb/Blair,
                 Columbus, OH 43218-2125
13148829
               +EDI: WFNNB.COM Dec 17 2016 00:58:00
                                                        Wfnnb/lane Bryant,
                                                                             Po Box 182686,
                 Columbus, OH 43218-2686
13148830
               +EDI: WFNNB.COM Dec 17 2016 00:58:00
                                                        Wfnnb/woman within,
                                                                              Po Box 182686,
                 Columbus, OH 43218-2686
                                                                                             TOTAL: 40
           ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
                Lakeview Loan Servicing, LLC
cr
cr
                Lakeview Loan Servicing, LLC
                M&T BANK
cr
               +National Capital Management, LLC,
                                                   8245 Tournament Drive,
cr*
                 Memphis, TN 38125-1741
cr*
               +PRA Receivables Management, LLC,
                                                  PO Box 41067,
                                                                   Norfolk, VA 23541-1067
13193408*
               +CANDICA, LLC, C O WEINSTEIN AND RILEY, PS, 2001 WESTERN AVENUE, STE 400,
                 SEATTLE, WA 98121-3132
13224218*
               +CANDICA, LLC,
                               C O WEINSTEIN AND RILEY, PS,
                                                               2001 WESTERN AVENUE, STE 400,
                 SEATTLE, WA 98121-3132
                                                                                             TOTALS: 3, * 4, ## 0
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Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

User: ddov

Form ID: 3180W

District/off: 0315-1

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 18, 2016 Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 16, 2016 at the address(es) listed below: Andrew F Gornall on behalf of Creditor Lakeview Loan Servicing, LLC agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmllawgroup.com

Daniel P. Foster on behalf of Debtor Gary A. Smith dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com Daniel P. Foster on behalf of Joint Debtor Debra K. Smith dan@mrdebtbuster.com.  $\verb|clarissa@mrdebtbuster.com|| fosterlaw@ecf.inforuptcy.com|| anne@ecf.inforuptcy.com|| anne@ec$ Jerome B. Blank on behalf of Creditor M&T BANK pawb@fedphe.com Jerome B. Blank on behalf of Creditor Bank of America, N.A. pawb@fedphe.com Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmllawgroup.com Mario J. Hanyon on behalf of Creditor Lakeview Loan Servicing, LLC pawb@fedphe.com Matthew John McClelland on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmllawgroup.com ustpregion03.pi.ecf@usdoj.gov tor Bank of America, N.A. pawb@fedphe.com, Office of the United States Trustee on behalf of Creditor

Peter J. Mulcahy FedPhe@hotmail.com

cmecf@chapter13trusteewdpa.com Ronda J. Winnecour

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District/off: 0315-1 User: ddoy Form ID: 3180W Page 3 of 3 Total Noticed: 53 Date Rcvd: Dec 16, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

TOTAL: 11